

**RECEIVED  
CENTRAL FAX CENTER**

JUL 18 2006

# Fax

**To:** Mail Stop Missing Parts  
Commissioner for Patents**From:** Jill L. Woodburn**Fax:** 571-273-8300**Pages:** 7**Phone:****Date:** July 18, 2006**Re:** 10/559,547**CC:**

**Applicants:** Hoenes et al.  
**Application:** 10/559,547  
**371(c) date:** January 13, 2006  
**Ref. No.:** 21731 US

**Attachments:**

- Transmittal Form (1pp)
- Request for Corrected Filing Receipt (1pp)
- Copy of Filing Receipt with changes marked (2pp)
- Copy of Page 1 of the signed Declaration (1pp)
- Copy of Page 1 of the application as filed (1pp)
- Fax Transmittal Sheet (1pp)

The information contained in this facsimile message is privileged and confidential. This information is intended only for the use of the individual or entity named. If the reader of this message is not the intended recipient, you are hereby notified that the dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone 219-764-4005 and return the original message to us at 128 Shore Dr. Ogden Dunes, IN 46368 USA via the Postal Service. Thank you.

RECEIVED  
CENTRAL FAX CENTER

JUL 18 2006

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/559,547	
	Filing Date	01-13-2008	
	First Named Inventor	Hoenes	
	Art Unit	3735	
	Examiner Name		
Total Number of Pages in This Submission	7	Attorney Docket Number	21731 US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request Corrected Filing Receipt (1pp) Copy of Filing Receipt (2pp) Copy of Page 1 Declaration Copy of Page 1 Application as filed Fax Transmittal
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	The Law Office of Jill L. Woodburn, LLC	
Signature	<i>Jill L. Woodburn</i>	
Printed name	Jill L. Woodburn	
Date	July 18, 2006	Reg. No. 39874

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	
Signature	<i>Jill L. Woodburn</i>
Typed or printed name	Jill L. Woodburn
Date	July 18, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**RECEIVED  
CENTRAL FAX CENTER**

JUL 18 2006

Atty. Docket No. 21731 US

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re application of: Hoenes, *et al.*

Application No.: 10/559,547

Group No.: 3735

371(c) date: 01/13/2006

For: INTEGRATED TEST ELEMENT

**REQUEST FOR CORRECTED FILING RECEIPT**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

1. Attached is a copy of the official Filing Receipt received from the USPTO in the above application for which issuance of a corrected Filing Receipt is respectfully requested with the error marked in red.

2. There is an error with respect to the following, which is incorrectly entered:

*Error in*  
Title

*Corrected data*  
INTEGRATED TEST ELEMENT

3. Attached is a copy of:

- a. Filing Receipt mailed on July 10, 2006 with changes marked to reflect the corrected title.
- b. A copy of the first page of the signed Declaration showing the correct title.
- c. A copy of page 1 of the application as filed showing the correct title.

It is respectfully requested that a Corrected Filing Receipt be issued for the above-identified application. Please charge any fees to the Account of Roche Diagnostics Operations, Inc., Deposit Account No. 02-2958.

July 18, 2006  
Date

Jill L. Woodburn  
Signature  
Jill L. Woodburn, Reg. 39,874  
The Law Office of Jill L. Woodburn, L.L.C.  
128 Shore Dr.  
Ogden Dunes, IN 46368-1015



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY, DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/559,547	01/13/2006	3735	1740	WP 21731 US	4	23	2

CONFIRMATION NO. 9151

32842  
THE LAW OFFICE OF JILL L. WOODBURN, L.L.C.  
JILL L. WOODBURN  
128 SHORE DR.  
OGDEN DUNES, IN 46368

## FILING RECEIPT



\*OC000000019475715\*

Date Mailed: 07/10/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt Incorporating the requested corrections (if appropriate).

## Applicant(s)

Joachim Hoenes, Zwingenberg, GERMANY;  
Karl Miltner, Frankenthal, GERMANY;

**Power of Attorney:** The patent practitioners associated with Customer Number 32842.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP04/05924 06/02/2004

## Foreign Applications

GERMANY 103 25 699.7 06/06/2003

If Required, Foreign Filing License Granted: 07/03/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/559,547**

Projected Publication Date: 10/12/2006

Non-Publication Request: No

Early Publication Request: No

Title

Integrated test element ~~for a one-time drawing and analyzing of a sample to be analyzed~~

**Preliminary Class**

600

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR

WEMMH SB/01 (12-03)

Approved for use through 10/31/2002. OMB 0851-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to a collection of information unless it contains a valid OMB control number.

<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION</b> <b>(37 CFR 1.63)</b>		Attorney Docket Number	<b>WP 21731 US</b>	
<input type="checkbox"/> Declaration Submitted With Initial Filing <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge 37 CFR 1.16 (e) required)		First Named Inventor	<b>Hoenes</b>	
		COMPLETE IF KNOWN		
		Application Number	<b>10/559547</b>	
		Filing Date	<b>December 2, 2005</b>	
		Art Unit	<b>Unknown</b>	
		Examiner Name	<b>Unknown</b>	

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

INTEGRATED TEST ELEMENT

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 12/02/2005 as United States Application Number or PCT International

Application Number 10/559547 and was amended on (MM/DD/YYYY)  (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119 (a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Check Only If Priority Not Claimed	Certified Copy Attached?	
				YES	NO
PCT/EP2004/005924	PCT	06/02/2004		<input type="checkbox"/>	<input checked="" type="checkbox"/>
103 25 699.7	DE	06/06/2003		<input type="checkbox"/>	<input checked="" type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under 35 USC 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	
		<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

WP 21731 US

Express Mail: ED 826281693 US

- 1 -

**INTEGRATED TEST ELEMENT****CROSS-REFERENCE TO RELATED APPLICATIONS**

[0001] The present application claims priority to PCT Application No. PCT/EP2004/005924 filed June 2, 2004 and German Patent Application No. 103 25 699.7, filed June 6, 2003.

**TECHNICAL FIELD**

[0002] The invention relates to the field of integrated test elements which have a lancing instrument which can be firstly used to make a wound in a skin opening in order to collect a sample, such as for example, blood. The blood flowing out is subsequently taken up by the test element in the process of which it comes into contact with a reagent contained in the test element resulting in an optically detectable change in a test field. The change in the test field is detected by an analytical unit which enables the determination of an analyte present in the blood.

**BACKGROUND**

[0003] In the medical field blood comes primarily into consideration as a sample. In the following reference is made to blood analysis as an example without limiting the generality.

[0004] A particularly important field of application in blood analysis is monitoring the blood sugar level of diabetics which is frequently used especially in the analytical field of blood sugar self-monitoring (home monitoring).